

MICHIGAN LIQUOR CONTROL COMMISSION.  
INSTRUCTIONS GIVEN TO INVESTIGATORS BY

FRANK A. PICARD,  
MAY 15th, 1933.

Inspectors are to take pink copy of application and bond with them and return to the County Building to City Hall and O.K. the white copy.

There are three kinds of vendors, as follows:

1. For consumption on the premises:
  - (a). Restaurants,
  - (b). Clubs
  - (c). Gardens.
2. For consumption off the premises:
  - (a) . Specially designated merchants
    - (1). Drug Stores
    - (2.) Grocery stores.
    - (3). Malt stores, must get approval of the Malt Division of the Secretary of State's office before granting license.
3. For consumption on and off the premises:
  - (a). Hotels.

DELICATESSEN STORES

Delicatessen stores must take out licenses as specially designated merchants - they cannot sell in restaurants. If they desire to sell in restaurants they must take out restaurant ~~restau-~~rant licenses for consumption on the premises - otherwise they sell

for consumption off the premises only.

If they take out a grocery license it must be the main business of the store and sell for consumption off the premises.

III. Detailed explanation of the term "Specially Designated Merchants":

(Read all the definitions contained in the act).

There is to be no selling of beer and/or wine at counters or bars. If merchants are doing this, report to Mr. Carroll at the Detroit office or to Mr. John Smith of the Police Department.

The rule applying to one-arm restaurants is that the consumer must be seated in the chair and served by an employee of the restaurant.

IV. Drug stores cannot sell for consumption on the premises. Their license will cover consumption off the premises only, even though they sell lunches. If they wish to sell for consumption on the premises they must take out restaurant licenses.

V. No place must be allowed to sell unless they have a license or telegraphic notice of license from the Commission.

VI. Citizenship: An individual must be a citizen and the majority of the partnership, corporation or club must be American Citizens.

VII. HOTELS cannot license hotels in Wayne County

unless they have fifty or more rooms, that is, bed rooms.

VIII. If license is change from one type to another, the second fee must be paid before getting the first fee back - unless the second fee is more than the first, in which case the balance is added to the first fee.

IX. No inspector or investigator shall accept any money, gifts or other forms of bribe while on the job.

X. No cash bond can be accepted and each bond must carry the signatures of at least one surety, and in most cases two.

XI. A club must have been organized for at least one year and be a non-profitting organization. It must have regular members with dues, etc, and not have locked doors, and most of the members must be citizens.

XII. In the case of former blind-pigs - same can be licensed if the doors are thrown open and they are not just a place to take orders for whiskey, etc. The blind-pig must take out a restaurant license, and be open to the public. They can have a bar, but they must not sell direct to the consumer over it.

XIII. BEER STORES. There are not any beer stores.

The reason for this is to drive people out of the so-called 'speak-easies' into the restaurants and hotel dining-rooms, and to try to help the corner grocer. Permits are given to drug store, so that beer will be easily accesible and people will keep away from the saloon.

STAMPS. Tax stamps must be over the corner so that they will be defaced when being opened. Stamps must be defaced as soon as the the box or case is emptied. Retailers must make sure of stamp when selling the beer.

(Ask the attorney General for opinion on Sec. 11.)

When an investigator finds alley beer he is to report either to Mr. Carroll of the Detroit office or to Mr. Simth of the Detroit Police Department, so that it can be checked.

XV. A resëaurant may consist of more than one floor but there must be no 'Peep-hole' at the entrance - it must be open to the public.

XVI/. When a restaurant or other licensee is found selling whiskey or other liquor besides beer, he is to be reported to the police or Mr. Carroll who will follow it up.

XVII. LUNCH CARS. Lunch cars that have counters only cannot have a license, but if there are tables a license is permitted.

XVIII. We must at all times co-operate with the Federal Government as a matter of course.

XIX. All carloads of beer must be warehoused before putting on the market.

XX. All inspectors are to make complete notes on all inspections and attached same to the white copy of the application so that we will know what action to take on same.

XXI. There is to be absolutely no drinking on the job. Investigator is to accept no cigars, cigaretts, etc., of any kind.

June 16, 1933.

( THE INSPECTOR )

The Inspector is an important member of the Liquor Control Commission and is so regarded by his superiors. The inspector who performs his duties in a satisfactory manner is a valued member of the organization. He will remain with the Liquor Control Commission and be successful. The unsatisfactory inspector will be dropped upon evidence of his failure to properly perform his duties. THE ACTS OF THE INSPECTOR SHALL DETERMINE HIS FUTURE.

The Inspector, as the representative of the Liquor Control Commission coming in contact with the public, will be regarded by many as the Liquor Control Commission, and the impression he leaves upon those with whom he comes in contact is the impression they will have of the Liquor Control Commission. If the inspector is honest, courteous and intelligent a friendly feeling of co-operation will be created between us and the law-abiding public. The alley brewery, speakeasy, blind pig and other law violators will know us as their relentless foe.

We are anxious to obtain this friendly co-operation from the law-abiding public. With it great help to us will come. Without it, our task is indeed a difficult one and well nigh impossible of accomplishment. Our inspectors are presumed as one of the essential requirements to the successful performance of their duties to be of high order of intelligence capable of using good judgment at all times. Therefore the rules laid down as to their conduct shall be brief and as follows:

1. To be clean and neat in personal appearance is necessary at all times.
2. The drinking of any alcoholic beverage during the hours of duty is positively forbidden.
3. A thorough understanding of the law and its enforcement is required. This may be obtained by a study of the Act and the Rules and Regulations and such printed instructions as may be furnished from time to time. These will be supplemented by verbal instructions and lectures.
4. The Inspector should be courteous and tactful. Treat others as you would like to be treated.
5. Absolute honesty and strict adherence to the law and the Rules and Regulations of the Commission is necessary. You are not permitted under any circumstances to accept any money. You must avoid all situations or the receiving of any favors that may embarrass you or lead others to believe that there may be something wrong in the connection between you and any persons connected with the sale of beer. Loose talk even in joking will not be tolerated.
6. Friendly co-operation with your superior officers and all other officers and employees of the Liquor Control Commission is expected of you.

The Inspector is the "eyes and ears" of the Managing Director of the Liquor Control Commission. He it is who examines the applicant who applies for a license, inspects his place of business, investigates complaints, looks for violations, etc. The inspector, through the proper channels, must report to the Liquor Control Commission his findings, and a form called "Inspectors Report" has been prepared for this purpose. The printed matter on this form has purposely been limited, as it is felt that proper and complete reports cannot be made by the question and answer method, and that a more complete picture may be obtained by the proper officer from a report written in detail by an intelligent inspector properly instructed. It is also felt that a report on the form prepared is a good indication of the inspector's conception of his duties and general organization of the Liquor Control Commission.

The Inspector's report probably requires some explanation as to that part which the inspector is required to fill in. The first six lines of the report will be already filled in when the blank is given to the inspector. This brings us to the heading "Owners, Managers, Personnel." As the Inspector should know, the Act provides that only American citizens who have been residents of the County in which they apply for a license for at least one year may obtain a license. In the first inspection made, it is especially important that you indicate that applicant is qualified by both citizenship and residence. In this and subsequent reports you should give your impression of all persons who are connected with applicant's or licensee's establishment, such as their personal appearance from the standpoint of cleanliness and neatness, their knowledge of the requirements of the law, their apparent education and intelligence, their feeling toward the Law, whether they consider its requirements reasonable and will make every effort to comply or whether they feel it is unnecessarily burdensome and to be evaded whenever possible. With us everybody is law-abiding until he proves to the contrary that such is not the case, and there are no favorites. A man's religion, race and politics are of no moment. Disregard them. Everybody should be treated alike.

"Premises"; under this heading give a description of the premises as to its construction, location and capacity. State whether clean and sanitary, well painted, etc. If the premises inspected are used as a hotel show the total number of sleeping rooms. If any rooms are permanently closed show this also. A hotel must have a hotel license and come under the regulations of a hotel, as defined in Paragraph (G) Page 2 of the Beer License Law. Beer and wine may be sold by a hotel for consumption on and off the premises. A hotel that is unable to qualify under this Act as a hotel may take out a restaurant license, but is not permitted to sell except in the restaurant.

BEER GARDENS may not be licensed within 300 feet of a church or school used as such. If a church or school is nearby check up the actual distance from the edge of the school or church premises in a direct line to the edge of the beer garden premises lot line to lot line. There are no such restrictions regarding the proximity of other vendors. If a man has a garden partly under roof and partly not he can run as a garden only during that part of the year when he has 3,000 square feet available. He cannot take out a beer garden license for a house and yard and operate as a beer garden the year around when weather conditions would prevent his serving out of doors. See Section (F) of Page 2.

Bear in mind that the word "RESTAURANT" means that the restaurant is the principal part of the business of the place. See definition of "Restaurant" Paragraph (E) Page 2. If you find a pool room that merely sells lunches now and then and does not serve meals you should report this at once. This type of place should not be allowed a restaurant license. You should give the several reasons therefore. This also applies to drug stores and grocery stores. But you must always bear in mind that an institution may have two divisions. That is, it may have a grocery store or drug store and separate and apart from the grocery store or its drug store may have full restaurant service. Those people may take out two licenses and are entitled to sell as a restaurant and either as a drug or grocery store. Be lenient in your decision but don't let anyone get by with a grocery store, drug store or restaurant that is not one in fact. No beer or wine may be sold for consumption at a counter or bar. There are some restaurants that are really self serve. It is permissible to have the beer given to the customer the same as he receives his coffee or his milk, with the cap removed and he may take it to the table where it must be consumed. A restaurant MAY NOT sell for consumption off the premises. A Restaurant may not operate as a Club.

"CLUBS". A Club should be always accessible. When you are in doubt as to the nature of the Club, check over the charter. See that the Club has been in existence for over one year prior to the enactment of the Beer License Law. See Paragraph (H) Page 3 of Act 64 of the P.A. of 1933 for definition. Any Club that requires you to go through any formality in order to obtain entrance except the formality of membership, should be reported at once and a Club operating with a locked door is especially to be banned.

No food may be given away free with beer or wine and no beer or wine may be given away free with food.

All those who serve for consumption on the premises should remove the cap from the bottle when the beer is served.

A Club may not distribute beer or wine to their members by taking orders for them. It may sell only for consumption on the premises.

"GENERAL REMARKS"; Show under this heading such information as you feel is necessary and not covered by previous captions.

When you go in to make an inspection make certain that the place is as it represents itself to be and that it has the proper authority represented by a telegram as a temporary permit or a license, to sell beer and wine. ~~There is no such classification as a beer store.~~

There is no such classification as a beer store. They should be instructed to close immediately and report it immediately to your chief. Malt stores are not permitted to sell beer or wine. If you will bear in mind that the principal part of the business must be either a grocery store or drug store or restaurant this will tend to make your job easier.

Every case of beer sold should bear the Michigan State Tax stamp. If it is out of state beer the stamp should read that "1/6th of the above amount is for inspection fee."

Familiarize yourself with the stamps. Where feasible they should be placed over the cover of the box so that the stamp will break when the box is opened. In all instances the retailer should be informed that as soon as the box is empty he should deface the stamp so that it cannot be used again. He should be further informed that if he sold a box and it comes back to him and the stamp is not defaced, it is his duty to deface it.

All warehouse men should be notified how to properly place the stamps on the boxes and not to receive any empty boxes until they have defaced the stamp in the event of the retailer or consumer having failed to do this in the first place.

Peddling beer is not permitted, nor can a chain store take an order at one store that has no license for another number of the chain that has a license.

Outstate beer moving in transit should be accompanied by papers; usually a bill of lading, showing the name of shipper, name and address of party to whom shipment is being made, name and quantity of beer or wine. When your inspection indicates a bonafide shipment the movement of the truck should not be unnecessarily delayed. If anything in connection with the shipment arouses your suspicion, but no tangible evidence is available of intent to evade the provisions of the Beer License Law, report all the facts to your superior officer. In doing this give the make, ownership and license of the truck, the name and operator's license of the driver, the name of consignor and consignee, nature and quantity of shipment, and circumstances which arouses your suspicions. All known shippers of outstate beer will be notified of our requirements, but until this has been done we must be careful to avoid unnecessarily interfering with the movement of legitimate business. This would also apply to the movement of beer or wine made in Michigan to points outside of this State.

Impound any and all beer and wine, other than in transit, which you find without a stamp in the hands of anyone. This may be done by having the beer or wine taken to the nearest Police Station or Sheriff's office, giving receipt for beer or wine taken. Packages should be sealed to avoid tampering, and all the facts immediately reported to your Superior officer.

Beer can be sold for consumption on the premises only in

Restaurants,  
Beer Gardens  
Clubs.

Beer can be sold for consumption off the premises only in

Drug Stores,  
Grocery stores.

For consumption on or off the premises - hotels.

A restaurant MAY NOT sell for consumption off the premises.

A drug store or grocery store MAY NOT sell for consumption on the premises.

Any vendor violating these particular provisions should be first warned and then complaint should be made to the prosecuting attorney of the county where the violation occurs and a report made to your chief at the branch office.

In making your inspection and preparing report make both so complete that all necessary information is given. Your report will be used as the basis for making important decisions, consequently it should be accurate, complete, not influenced in any way by your personal feelings, but strictly on the conditions disclosed by your inspection and investigation.

Inspections should be made without delay and reports promptly submitted to the Branch Manager daily. We want to render a real service and you can help by making requested inspections and reports expeditiously.